

# MAUNE.RAICHLE.HARTLEY.FRENCH & MUDD, LLC

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS.

**Plaintiffs,**

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*

### Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**STIPULATION TO EXTEND  
JURISDICTION OVER  
CONDITIONALLY DISMISSED  
DEFENDANT AIR & LIQUID  
SYSTEMS CORPORATION,  
SUCCESSOR-BY-MERGER TO  
BUFFALO PUMPS, INC.; ORDER**

Courtroom: 02, 4<sup>th</sup> Floor  
District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022  
Removed to NDCA: December 21, 2022  
Trial Date: September 9, 2024.

STIPULATION TO EXTEND JURISDICTION OVER CONDITIONALLY DISMISSED DEFENDANT AIR & LIQUID SYSTEMS CORPORATION, SUCCESSOR-BY-MERGER TO BUFFALO PUMPS, INC. [Case No. 4:22-cv-09058-HSG]

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs Michael R. Marcus and Victoria L. Marcus  
 3 (“Plaintiffs”) and AIR & LIQUID SYSTEMS CORPORATION, SUCCESSOR-BY-MERGER  
 4 TO BUFFALO PUMPS, INC. (“Defendant”) hereby stipulate as follows:

5 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
 6 of Consortium – Asbestos in the Superior Court of the State of California, County of Alameda  
 7 Case No. 22CV021840.

8 2. On December 21, 2022, the above action was removed to the United States District  
 9 Court, Northern District of California, Case No. 4:22-09058.

10 3. On September 10, 2024, Plaintiffs and Defendant reached an agreement of all claims  
 11 in this action.

12 4. On September 11, 2024, the Court granted a conditional dismissal with prejudice as to  
 13 AIR & LIQUID SYSTEMS CORPORATION, SUCCESSOR-BY-MERGER TO BUFFALO  
 14 PUMPS, INC., with the Court retaining jurisdiction for 60 days.

15 5. While all terms of settlement are agreed upon, the terms of settlement are not yet  
 16 perfected. Plaintiffs and Defendant agree that this matter should not be litigated due to the  
 17 agreed-upon resolution.

18 6. Therefore, Plaintiffs and Defendant stipulate and request that this Court retain  
 19 jurisdiction over the matter as it pertains to Defendant AIR & LIQUID SYSTEMS  
 20 CORPORATION, SUCCESSOR-BY-MERGER TO BUFFALO PUMPS, INC., for an  
 21 additional forty-five (45) days.

22 DATED: November 5, 2024

Maune Raichle Hartley French & Mudd LLC

23 By:



Rabiah N. Oral

24 Attorney for Plaintiffs

DATED: November 5, 2024

Gordon Rees Scully Mansukhani, LLP

By: /s/ Glen Powell

Michael J. Pietrykowski

James G. Scadden

Glen R. Powell

Attorneys for AIR & LIQUID SYSTEMS  
CORPORATION, successor-by-merger to  
BUFFALO PUMPS, INC.

**LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER  
PAPERS**

In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified above, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: November 5, 2024

By:



Rabiah N. Oral, Esq.  
Attorney for Plaintiffs

## **ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the terms of settlement between PLAINTIFFS and Defendant AIR & LIQUID SYSTEMS CORPORATION, SUCCESSOR-BY-MERGER TO BUFFALO PUMPS, INC., are to be perfected within forty-five (45) days of this order. The Court retains jurisdiction over the matter as it pertains to Defendant AIR & LIQUID SYSTEMS CORPORATION, SUCCESSOR-BY-MERGER TO BUFFALO PUMPS, INC., for forty-five (45) days from the date of this order.

IT IS SO ORDERED.

DATED: 11/6/2024

Haywood S. Gilliam, Jr.  
Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE